



Minutes of the
City Commission for the City of Traverse City
Regular Meeting
January 6, 2014

A regular meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7 p.m.

The following Commissioners were present, constituting a quorum: Mayor Michael Estes, Mayor Pro Tem James Carruthers, Barbara D. Budros, Jeanine Easterday, Gary L Howe, Ross Richardson, Tim Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Michael Estes presided at the meeting.

As requested by Commissioner Ross Richardson, Agenda Item 2(g) was removed from the Consent Calendar for full discussion.

2. Consent Calendar

Moved by Budros, seconded by Richardson, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be approved:

- a. The minutes of the December 16, 2013, Regular Meeting, be approved.
- b. The Mayor and City Clerk execute a unit prices contract with Harper Industrial Construction, Inc., in the amount of \$151,524, more or less, at the unit prices indicated in its bid for the 2014 Water Treatment Plant Filter Replacement Project, with funds available in the Water Fund, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney; and further

that the competitive bidding process be waived and the City Manager be authorized to issue a confirming service order to Prein and Newhof in the amount of \$17,019.40 for completing the evaluation, design, MDEQ permitting and bidding in connection with this project and a service order to Prein and Newhof in the amount of \$13,400 for full-time construction observation and administration services, with funds available in the Water Fund.

- c. The City Commission approves the purchasing process for fuel as described in the Director of Public Services December 23, 2013, communication through December 31, 2014.
- d. The City Manager be authorized to issue a confirming purchase order in the amount of \$29,496.35 to Brenner Oil Co. for 10,003 gallons of dyed #2 diesel fuel without additives priced at \$2.94875 per gallon with funds available in the Garage Fund.
- e. The City Manager be authorized to approve payment in the amount of \$8,500 to the Grand Traverse Conservation District for erosion control and washout repair work at the Brown Bridge Quiet Area, with funds to come from the Conservation Resource Alliance and that a budget amendment be approved to increase both budgeted revenue and budgeted expenses in the Boardman River Dam Removal and Restoration Fund to reflect the receipt of the funds and subsequent payment.
- f. The City Manager be authorized to issue a confirming service order for \$8,053.50 to SOS Analytical, Inc. for performing the water sampling and analytical testing for the three storm water treatment systems installed in East Bay Park in 2013, with cost to be reimbursed by the Great Lakes Restoration Initiative Grant.
- g. Removed from the Consent Calendar.
- h. The Mayor and City Clerk execute a professional services agreement with Smith Haughey Rice & Roegge for Karrie A. Zeits to provide Special City Attorney Services, as recommended by the City Attorney pursuant to City Charter Section 47, at the rate of \$2,000 per week for an average of 18 hours

per week (with telephone consultations not counted against the average), with hours in excess of 18 hours per week over the period of actual engagement at the rate of \$120 per hour, for up to eight weeks, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds to come from the City Attorney Department Budget.

- i. An amendment to the Traverse City Code of Ordinances Section 1374.04 (b)(4) *Limit to One Driveway Per Parcel for Single and Two-Family Dwelling Districts*, which would limit parcels in the Single or Two Family Dwelling Districts (R-1a, R-1b, and R-2) to one curb cut per parcel, as recommended by the City Planning Commission, which was introduced on December 16, 2013, be enacted with an effective date of January 16, 2014.
- j. The Resolution Approving the Editing and Inclusion of Certain Ordinances as Part of the Various Component Codes of the Codified Ordinances, be adopted.
- k. The City Manager be authorized to declare surplus a 2009 Komatsu 380 so it may be returned for its buy-back price of \$113,300.00, and issue a purchase order to Michigan Cat in the amount of \$255,961.00 for the purchase of a 2014 Caterpillar 950K loader with a guaranteed buy-back price of \$130,000.00, with funds available in the Garage Fund.

CARRIED unanimously.

Items removed from the Consent Calendar

a.

Consideration of amending the Resolution Establishing Fees for the City Engineering Department to establish a fee for requests for encroachments, sales of city property and relinquishments of city easements.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Richardson, seconded by Carruthers, that the Resolution Establishing Fees for Engineering Department, be amended to add a \$475 fee for requests for encroachment, sale of city property and relinquishment of city easements.

CARRIED unanimously.

3. Old Business

3(a).

Consideration of adopting a resolution authorizing a grant agreement accepting a \$156,200 grant from the Michigan Waterways Commission for improvements to the Boardman River Boat Launch and Parking Lot D and approving the related budget amendment.

The following addressed the Commission:

Jered Ottenwess, City Manager
Benjamin Marentette, City Clerk

Moved by Richardson, seconded by Carruthers, that the Resolution Accepting the Waterways Grant Agreement for the City of Traverse City Boardman River Boating Access Site Project for a grant in the amount of \$156,200, be adopted; and that the City Manager be authorized to execute related agreements for the acceptance of this grant; and that a budget amendment be made in the Auto Parking System Fund to increase budgeted revenues and budgeted expenses by \$400,000 to reflect the receipt and expenditure for all external funding sources.

Deni Scrudato, 422 East State Street – made general comments

CARRIED unanimously.

3(b).

Consideration of introducing an amendment to the Traverse City Code of Ordinances which would revise the hours where mobile food vendors are allowed

to be present in certain areas.

Moved by Howe, seconded by Carruthers, that an amendment to the Traverse City Code of Ordinances, *Mobile Food Vending Hours of Operation*, Section 865.08, which would revise the hours of operation allowed for Mobile Food Vending Units operating on private property in commercial areas from 7 a.m. to 11 p.m. to 6 a.m. to 3 a.m., be introduced and scheduled for possible enactment on January 21, 2014.

Rick Buckhalter, 932 Kelley Street – made general comments

CARRIED unanimously.

4. New Business

4(a).

Consideration of authorizing a service order for professional services to conduct an assessment of the Clinch Park Water Feature design and functionality.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Easterday, seconded by Howe, that the City Manager be authorized to issue a service order for \$7,350 to Water Technology Inc. (WTI) to perform an audit of the water feature installed at Clinch Park, with funds available in the Capital Projects Fund.

Rick Buckhalter, 932 Kelley Street – made general comments

CARRIED unanimously.

5. Appointments

5(a).

Consideration of appointment by the Mayor to the Traverse Area District

Library Board, with approval by the City Commission.

Moved by Budros, seconded by Werner, that the Mayor's appointment of Geoff Streit, (seat previously held by George Galic), to a one-year term expiring on December 31, 2014, on the Traverse Area District Library Board, be approved.

CARRIED unanimously.

6. Reports and Communications

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.

Presentation of the City of Traverse City website.

- b. Announcements from the City Clerk.

- c. Reports, announcements and correspondence from the Mayor and City Commissioners.

- d. Reports and correspondence from other City officials, boards and committees.

- 1. Report from the Mayor serving on the Downtown Development Authority.

- 2. Report from Commissioners serving on the Light and Power Board.

- 3. Report from the Mayor and Commissioner serving on the Planning Commission.

- 4. Report from Commissioners serving on other boards.

- 5. Minutes of the Traverse City Historic Districts Commission special meeting of November 21, 2013.

- 6. Minutes of the ACT 345 Retirement System meeting of October 30,

2013.

7. Minutes of the Traverse City Light and Power Board meeting of November 12, 2013.
- e. Reports and correspondence from non-City officials.
 1. Monthly Operations Report from CH2MHILL for the Traverse City Wastewater Treatment Plant for November 2013.

7. Public Comment

The following addressed the Commission:

1. Reserved.

None

2. General.

Christine Maxbauer, 503 West Eighth Street
Rick Buckhalter, 932 Kelley Street

3. Mayor and City Commissioners.

Mayor Pro Tem James Carruthers
Commissioner Ross Richardson

There being no objection, Mayor Michael Estes declared the meeting adjourned at 7:50 pm.

Benjamin C. Marentette, CMC
City Clerk

Approved: _____, _____
(Date) (Initials)